



Installation of Alternative Systems

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|------------|---|
| BRP WP 57 | Approval of Installation of Recirculating Sand Filter (RSF) or Approved Equivalent Technology |
| BRP WP 64b | Approval of Installation of an Alternative System for Piloting |
| BRP WP 64c | Approval of Installation of an Alternative System for Remedial Use |

Instructions and Supporting Materials

Table of Contents

- introduction
- permit fact sheet
- completeness checklist

Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Permit Fact Sheet

1. What is the purpose of these approvals?

The purpose of these approvals, except tight tank approval, is to ensure that alternative Title 5 systems, which have substitute or alternative components for one or more elements of a conventional septic system, can provide the same or a higher degree of environmental and public health protection as a conventional system.

- **BRP WP 57** establishes an approval process for MassDEP review of proposed installation of Recirculating Sand Filters (RSFs) where nitrogen reduction is required by 310 CMR 15.214 to serve new construction or proposed installation of RSFs for remedial use to serve facilities with design flows of 2,000 gallons per day or greater.
- **BRP WP 64b** establishes an approval process for MassDEP review of alternative systems proposed for piloting on a specific site. Piloting is intended to demonstrate that the technology proposed is likely to provide a level of environmental protection at least equal to that of a system designed and built in accordance with Title 5.
- **BRP WP 64c** establishes an approval process for MassDEP review of alternative systems proposed for remedial use on a specific site. A Remedial Use approval is intended to demonstrate that the alternative system is likely to improve conditions at an existing facility served by a failed, failing or nonconforming system.

2. Who must apply?

For BRP WP 57:

Any individual, business or organization desiring to install a recirculating sand filter in accordance with 310 CMR 15.202, 310 CMR 15.214, and the Department's Approval for Remedial Use for RSFs.

For BRP WP 64b:

Any individual, business or organization desiring to install an alternative system for piloting, in accordance with 310 CMR 15.003 and 310 CMR 15.285.

For BRP WP 64c:

Any individual, business or organization desiring to install an alternative system for Remedial Use that is required to obtain prior MassDEP approval, in accordance with 310 CMR 15.003 and 310 CMR 15.284.

Note: If these categories do not apply to you, please be advised these are not the only categories for discharges to the ground. Please consult regulations 310 CMR 4.00 and the Department of Environmental Protection Regulations (314 CMR 5.00-6.00) to determine whether another category may apply to you.



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Permit Fact Sheet

3. What other requirements should be considered when applying for these approvals?

- Applicants must obtain approval from the local approving authority prior to submitting an application to MassDEP, and include a copy of the approval in their application to MassDEP.
- Any proposed variances must be included in the application, including any approval from a local approving authority, or separate variance application under BRP WP 59b or 59c that will be necessary.

Note: These additional requirements are intended to serve as a guide to the applicant. They do not necessarily include all additional requirements.

4. What is the application fee?

For BRP WP 57, 64b and 64c the application fee is \$430.

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Locations:

For BRP WP 57:
Department of Environmental Protection (two copies)
_____ * Regional Office
Title 5 Permitting Program

For BRP WP 64b:
Department of Environmental Protection (two copies)
Title 5 Permitting Program
1 Winter Street
Boston, MA 02108

For BRP WP 64c:
Department of Environmental Protection (two copies)
_____ * Regional Office
Title 5 Permitting Program

*Find your region: <http://www.mass.gov/dep/about/region/findyour.htm>

There is no Reserve Copy Location for this variance.



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Permit Fact Sheet

6. What are the timelines?

For BRP WP 57:

1. Within 30 days of receipt of application and payment of the permit application fee, the Department shall conduct a technical review.
2. The applicant may remedy identified deficiencies within 60 days of the Department's statement identifying deficiencies, if any.
3. Within 30 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies or at the expiration of the applicant's response period, the Department shall complete a supplemental technical review.

If MassDEP does not respond to the applicant by the end of the technical review period, the application shall be deemed approved. However, no action in violation of Title 5 310 CMR 15.000 is permitted.

For BRP WP 64b and 64c

1. Within 30 days of receipt of application and payment of the permit application fee, the Department shall conduct an administrative review.
2. Within 60 days of making a determination of administrative completeness, the Department shall complete a technical review.
3. The applicant may remedy identified deficiencies within 60 days of the Department's statement identifying deficiencies, if any.

Within 60 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies or at the expiration of the applicant's response period, the Department shall complete a supplemental technical review.

There is no public comment review period as part of the Department's application process for these categories.

7. What is the annual compliance fee?

There is no compliance fee for this category.

8. How long are these approvals valid?

The system must be built within three years of the date of issuance of the Disposal System Construction Permit. Provided that the system is installed within three years, the BRP WP 57, BRP WP 64 b, and BRP WP 64 c approvals remain valid as long as the system and facility served remain unchanged. The Department may issue a written one-year extension. Only one extension may be granted.



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Permit Fact Sheet

9. How can I avoid the most common mistakes made in applying for these approvals?

- Review the application for completeness to be sure all questions are answered correctly.
- Make sure two copies of plans and specifications are complete and signed and stamped by a Massachusetts Registered Sanitarian or Professional Engineer, whichever is appropriate.
- Submit fee and a copy of the MassDEP Transmittal Form to: Department of Environmental Protection,
P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to variances? Where can I get copies?

These regulations include, but are not limited to:

- Timely Action Schedule and Fee Provisions, 310 CMR 4.00.
- Title 5 Regulations, 310 CMR 15.000;
- Sections 15.202 and 15.214 BRP WP 57
- Sections 15.280 – 15.289, BRP WP 64b
- Sections 15.280 – 15.289, BRP WP 64c

These may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- ☐ The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml> For BRP WP64 applications, ensure that the permit code suffix "b" or "c" is entered on the form.
- ☐ Complete the Title 5 Permit Application Form. Provide all specified information and attachments, including:

Identification of the type of MassDEP approval being sought:

- RSF or approved equivalent technology (BRP WP 57), or
- Alternative: Pilot Use (BRP WP 64b), or
- Alternative: Remedial Use (BRP WP 64c)

☐ Name, address, telephone, and fax number and e-mail of applicant.

☐ Identification of legal ownership for the facility.

☐ Address of the facility.

☐ Name, company, address, and fax number, e-mail, and registration number of designer.

☐ Applicant's signature, date, and name of preparer.

System Information including:

☐ System description.

☐ Alternative design standards.

☐ **Two** sets of plans and specifications signed and stamped by a MA registered Professional Engineer or Sanitarian, as appropriate.

☐ Written approval from the local approving authority.

☐ Data demonstrating that equivalent environmental protection is achievable.

☐ Documentation identifying the system failure (**BRP WP 64c only**).

☐ Sampling and monitoring plan (**BRP WP 64b only**).

☐ Provisions of Title 5 for which a variance is sought and local approving authority approval of variances.



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Application Completeness Checklist

To submit the application package:

☐ Checklist items have been completed.

☐ For BRP WP 64b, send one copy of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
Title 5 Program
One Winter Street, 6th floor
Boston, MA 02108

☐ For BRP WP 57 and 64c, send two copies of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
Title 5 Program
_____ * Regional Office

* Find your region <http://www.mass.gov/dep/about/region/findyour.htm>

☐ Send fee of \$430 in the form of a check or money order made payable to Commonwealth of Massachusetts, along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



Installation of Alternative Systems

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A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Which permit category are you applying for?

- ☐ BRP WP 57 Approval of Installation of Recirculating Sand Filter or Approved Equivalent Technology
- ☐ BRP WP64b Approval of Installation of an Alternative System for Piloting
- ☐ BRP WP64c Approval of Installation of an Alternative System for Remedial Use

2. Applicant Information:

Applicant

Company Name (if applicable)

Street Address/PO Box

City/Town

Zip Code

Telephone Number

e-mail address

Fax Number

3. The legal entity which owns this facility is:

- ☐ Individual ☐ Private Partnership ☐ Corporation ☐ Federal
- ☐ State/County ☐ Municipality ☐ Other: _____

4. Facility Information (if different from applicant):

Street Address/PO Box

City/Town

State

Zip Code



Installation of Alternative Systems

A. General Information (cont.)

5. System Designer Information (Registered Sanitarian [RS] or Professional Engineer [PE] for systems under 2,000 gallons per day; PE for systems 2,000 gallons or more per day)

Designer name

Company name

Street address/PO Box

City/town

State

Zip code

Telephone number

e-mail address

Fax number

P.E.

P.E. Registration number

Sanitarian

Sanitarian Registration Number

6. Does this project require a filing under 301 CMR 11.00, The Massachusetts Environmental Policy Act?

☐ Yes

☐ No

If yes, has a filing been made? ☐ Yes ☐ No

If Yes, EOEA File #

B. System Information

Indicate the type of use for which the approval is being sought

1. Approval for:

☐ RSF or Approved Equivalent Technology

☐ Piloting

☐ Remedial Use

2. System Description including, if applicable, technology name and model number:



Installation of Alternative Systems

B. System Information (cont.)

3. Alternative Design Standards:

- ☐ Alternative soil absorption system (SAS) ☐ Enhanced nitrogen removal credit
- ☐ Alternative loading rates and SAS size
- ☐ Other (please specify design):
- _____
- _____

4. Is the facility subject to the nitrogen loading limitations under 310 CMR 15.214?

- ☐ Yes ☐ No

5. Two complete sets of plans and specifications, including a locus map, properly stamped and signed by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian must accompany the application and be prepared in accordance with 310 CMR 15.220. Are plans and specifications enclosed?

- ☐ Yes ☐ No

6. A copy of the local approving authority's approval for this application must accompany this application. Is the approval attached?

- ☐ Yes ☐ No

7. Is available data demonstrating that equivalent environmental protection is achievable attached?

- ☐ Yes ☐ No

8. If the applicant is remediating a failure, is documentation identifying the system failure attached?

- ☐ Yes ☐ No

9. Identify the provisions of Title 5 for which a variance is sought (if any) and attach local approving authority approval.



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C. Certification

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Applicant's Signature

Print Name

Name of Preparer

Date